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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,099	09/21/2001	Andreas Wichern	DE 000152	5084

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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[REDACTED] EXAMINER

TAKAOKA, DEAN O

ART UNIT	PAPER NUMBER
	2817

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/960,099	WICHERN, ANDREAS
	Examiner	Art Unit
	Dean O Takaoka	2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 June 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3,5,7 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3,5,7 and 12-14 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 September 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "said metallization plate being one of plural" (claim 1); "oval", "ellipse", and "square" (claim 5); and "a plurality of turns" (claim 14); must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

The drawings show only a single metallization 40 with respect to claim 1; a circle and rectangle with respect to claim 5; and each inductive element comprising only a single turn with respect to claim 14.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The applicant is required to provide a copy of the drawings with proposed drawing changes marked in red ink as required by 37 CFR 1.121(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 7, and 12 – 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Dahlberg (U.S. Patent No. 5,646,633).

Claim 1:

Dahlberg (Fig. 4) shows a circuit arrangement for filtering and selecting single frequencies or frequency ranges of signals (where the antenna circuit filters a single frequency and also a plurality of frequency ranges; col. 2, lines 1-6 comprising short and long frequencies), the circuit arrangement comprising at least two electric resonant circuits, with at least an inductive element (shown in Fig. 4 as conductive loops 14 with an inductance L unlabeled single turn coils) and at least a capacitive element (gaps between coils), characterized in that the resonant circuits are magnetically fixedly coupled to each other (fixed windings) and in that all the resonant circuits of the circuit arrangement are arranged on only one metallization plate (substrate 32 comprises metallized coil windings 14 shown in Fig. 4 with respect to Fig. 5) of an integrated circuit having an essentially constant ohmic resistance (inherent by the fixed winding and coupling of the coils, for reasons discussed previously), where the metallization plate is one of plural (the substrate having plural conductive loops 14; or in the alternative having a top metallization surface 14 and bottom metallization surface 32 of substrate 32) and being the one having the least ohmic resistance (discussed previously where the windings are fixed; or in the alternative where the top metallization has a lower metallized surface area than the bottom ground plane, thus inherently the top metallization layer having the lowest or lower ohmic resistance than the bottom metallization layer).

Claim 3:

The individual resonant circuits are essentially arranged in a planar way on an outer surface of the integrated circuit and being arranged as concentrically aligned inductors (e.g. having a common center or common axis – shown in Fig. 4).

Claim 7:

At least two inductive elements which are substantially concentric to each other.

Claim 12:

The inductive elements are magnetically fixed coupled to each other (inherent in that the windings are fixed, discussed in the reasons for rejection of claim 1 above).

Claim 13:

Each of the inductive elements comprise one turn (shown in Fig. 4).

Claim 14:

Each of the inductive elements comprises a plurality of turns (shown in Fig. 2 where each spiral is connected by conductor 20 thus comprising a plurality).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dahlberg in view of Dockery (U.S. Patent No. 6,317,101).

Claim 5:

Dahlberg shows a well-known rectangular or square circuit arrangement, discussed above in the reasons for rejection of claim 1 above but does not show where the geometric structure is a circle.

Dockery (Fig. 1) shows a similar circuit arrangement where the geometric structure is a well-known art-recognized equivalent circle.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the well-known rectangular or square circuit arrangement disclosed by Dahlberg with the well-known art-recognized equivalent circular geometric structure disclosed by Dockery. Such a modification would have been a mere substitution of well-known art-recognized equivalent geometric structures in the circuit arrangement thus suggesting the obviousness of the modification.

Response to Arguments

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 12, 2003 has been entered.

Applicant's arguments with respect to claims 1, 3, 5, 7 and 12 – 14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ikeda et al. – shows a variable inductor.

Brey et al. – shows a NMR probe with gaped inductors.

Even-Or – shows a stripline with slots.

Hidaka – shows an antenna with slots.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dean O Takaoka whose telephone number is (703) 305-6242. The examiner can normally be reached on 8:30a - 5:00p Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (703) 308-4909. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

dot
July 29, 2003



Robert Pascal
Supervisory Patent Examiner
Technology Center 2800